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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,991	12/06/2000	Johan Rune	2466-79	7373

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EXAMINER

HA, YVONNE QUY M

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)			
	09/729,991	JOHAN RUNE			
Period for Reply	Examiner	Art Unit			
	Yvonne Q. Ha	2664			
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --					
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p> <ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 					
<p>Status</p> <p>1)<input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>06 December 2000</u>.</p> <p>2a)<input type="checkbox"/> This action is FINAL. 2b)<input checked="" type="checkbox"/> This action is non-final.</p> <p>3)<input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213.</p>					
<p>Disposition of Claims</p> <p>4)<input checked="" type="checkbox"/> Claim(s) <u>1-43</u> is/are pending in the application.</p> <p>4a) Of the above claim(s) _____ is/are withdrawn from consideration.</p> <p>5)<input checked="" type="checkbox"/> Claim(s) <u>1-31</u> is/are allowed.</p> <p>6)<input checked="" type="checkbox"/> Claim(s) <u>32,36-40,42,43</u> is/are rejected.</p> <p>7)<input checked="" type="checkbox"/> Claim(s) <u>1-41</u> is/are objected to.</p> <p>8)<input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.</p>					
<p>Application Papers</p> <p>9)<input checked="" type="checkbox"/> The specification is objected to by the Examiner.</p> <p>10)<input type="checkbox"/> The drawing(s) filed on _____ is/are: a)<input type="checkbox"/> accepted or b)<input type="checkbox"/> objected to by the Examiner.</p> <p style="margin-left: 20px;">Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).</p> <p style="margin-left: 20px;">Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).</p> <p>11)<input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.</p>					
<p>Priority under 35 U.S.C. §§ 119 and 120</p> <p>12)<input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</p> <p>a)<input checked="" type="checkbox"/> All b)<input type="checkbox"/> Some * c)<input type="checkbox"/> None of:</p> <p>1.<input checked="" type="checkbox"/> Certified copies of the priority documents have been received.</p> <p>2.<input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.</p> <p>3.<input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</p> <p>* See the attached detailed Office action for a list of the certified copies not received.</p>					
<p>13)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.</p> <p>a)<input type="checkbox"/> The translation of the foreign language provisional application has been received.</p> <p>14)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.</p>					
<p>Attachment(s)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u>.</p> </td> <td style="width: 50%;"> <p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____.</p> </td> </tr> </table>				<p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u>.</p>	<p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____.</p>
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DETAILED ACTION

Claim Objections

1. Claims 1-41 are objected to because of the following informalities: the word "characterized" is not an U.S. standard practice. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitations "the deciding" and "the case" are indefinite.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang et al. (USPUB 2003/0165140) in view of Sakakura (US Patent 6,389,423).

Referring to claim 32, Tang discloses a communication system comprising one or more networks (figure 1), each network consisting of nodes interconnected by point-to-point links (figure 1, references 128, 140, 142), the system supporting distribution of broadcast messages to nodes in the networks (paragraph 24), comprising means for forwarding the broadcast message to nodes in the system (paragraph 25), means for receiving a broadcast message at a node in the communication system (paragraph 36, 38), characterised by: deciding whether to continue to send the broadcast message to other nodes , at the receiving node (paragraph 39,44, i.e. MND

distributing the multicast message); avoiding redundant distribution of the broadcast message (paragraph 51, to avoid overlapping by defining the VLAN domains of VLAN regions). Tang failed to teach sending a cancellation of broadcast message from the nodes in the system to the other nodes including the broadcast message to be cancelled, and handling the cancellation of broadcast message at the nodes. However, Sakakura discloses the comparison of update data via log number and decides whether or not to adopt the update message or cancel the message at receiving node (col. 9, lines 28-65). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Tang distribution of broadcast message and Sakakura controlling of replicated data. The needs to access the data of intranet through the Internet and wanting to use a Web service supplied at the Internet are emerging. Data communication among the nodes managing and reducing the duplication of data is necessary to reduce the communication traffic. Both teaching of Tang and Sakakura shows the data transfer management schemes among broadcasting to different nodes, mainly to increase network efficiency. Canceling of unwanted broadcast messages would provide a highly reliable communications where network resources are efficiently used.

Referring to claim 42, Tang discloses all aspects of the claimed invention computer program product directly loadable into the internal memory of a digital computer, comprising software code portions for performing steps of the methods of or the methods performed by any block or device when the product is run on a computer (paragraph 41).

Referring to claim 43, Tang discloses all aspects of the claimed invention a computer program product stored on a computer usable medium, comprising readable program means for

causing a computer to control the execution of steps of the methods performed by any block or device (paragraph 41).

5. Claims 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang et al. (USPUB 2003/0165140) in view of Haartsen (US Patent 6,574,266).

Referring to claim 36, Tang and Sakakura disclose all aspects of the claimed invention but failed to teach the networks form a scatternet according to the Bluetooth specification (col. 4, lines 6-25). However, Haartsen discloses the use of Bluetooth technology on ad-hoc network where two or more nodes communicate by hopping their signals from one channel to another (col. 4, lines 6-25). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Tang distribution of broadcast message and Sakakura controlling of replicated data and Haartsen establishing an ad hoc communications of master and slaves nodes. Terminals should communicate with other terminal directly if possible, forming direct “adhoc” connections, which do not relaying by a central base station all of information to be exchanged. The same concept that Tang and Sakakura teaches, where the broadcast controlling on the receiving end whether to accept, forward or cancel the message. Therefore, increase the spectrum/capacity efficiency while obtaining fast setup time and lower power consumption in a network.

Referring to claim 37, Tang and Sakakura disclose all aspects of the claimed invention but failed to teach the scatternet consists of piconets tied together by forwarding nodes. However, Haartsen discloses the master address identifies the piconet as channel ID (col. 10, lines 15-53). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Tang distribution of broadcast message and Sakakura

controlling of replicated data and Haartsen establishing an ad hoc communications of master and slaves nodes. Terminals should communicate with other terminal directly if possible, forming direct “adhoc” connections, which do not relaying by a central base station all of information to be exchanged. The same concept that Tang and Sakakura teaches, where the broadcast controlling on the receiving end whether to accept, forward or cancel the message. Therefore, increase the spectrum/capacity efficiency while obtaining fast setup time and lower power consumption in a network.

Referring to claim 38, 39, 40, Tang and Sakakura disclose all aspects of the claimed invention but failed to teach each so piconet includes one master and one or more slaves, the master being a forwarding node forwarding messages between the slaves. However, Haartsen discloses the master controls access to the piconet, the master may select any slaves and forward the data (col. 7, lines 1-22; col. 10, lines 15-53). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Tang distribution of broadcast message and Sakakura controlling of replicated data and Haartsen establishing an ad hoc communications of master and slaves nodes. Terminals should communicate with other terminal directly if possible, forming direct “adhoc” connections, which do not relaying by a central base station all of information to be exchanged. The same concept that Tang and Sakakura teaches, where the broadcast controlling on the receiving end whether to accept, forward or cancel the message. Therefore, increase the spectrum/capacity efficiency while obtaining fast setup time and lower power consumption in a network.

Allowable Subject Matter

6. Claims 1-31 are allowed.

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7. Claims 33-35, 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne Q. Ha whose telephone number is 703-305-8392. The examiner can normally be reached on Monday-Friday 7a.m.-4p.m. Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ajit Patel can be reached on 703-308-5347. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

YQH


Ajit Patel
Primary Examiner